

**Anglin & Giaccherini**  
ATTORNEYS AT LAW

**ORIGINAL  
FILE**

**Los Angeles Office**  
8601 Falmouth Avenue, Suite 309  
Playa del Rey, California 90293-8694  
Tel: (310) 306 5986 Fax: (310) 306 7959

**Los Angeles Silicon Valley**  
Santa Barbara

**International**  
Telex Number: 650 454 7547

**MCI Electronic**  
Mail User Name: TechLaw

**Western Union**  
Cable Address: USAPATLAW

December 1, 1992

**RECEIVED**

**DEC - 2 1992**

**FEDERAL COMMUNICATIONS  
COMMISSION  
OFFICE OF THE SECRETARY**

Ms. Donna R. Searcy  
Secretary  
FEDERAL COMMUNICATIONS COMMISSION  
1919 M Street, N.W.  
Room 222  
Washington, D.C. 20554

Re: ET Docket No. 92-191 RM-7511  
In the Matter of Amendment of Section 2.106 of the Commission's Rules  
to Upgrade to Primary Status the Secondary Mobile-Satellite Service  
Allocation at 19.7-20.2 GHz and 29.5-30.0 GHz

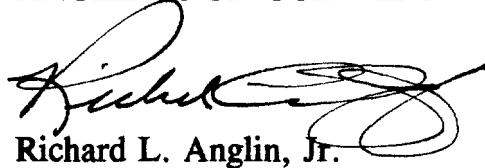
Dear Ms. Searcy:

Enclosed are the original and required copies of the Reply Comments of  
Endgate Technology Corporation in the above-captioned proceeding.

Please call me if you have any questions.

Very truly yours,

ANGLIN & GIACCHERINI

  
Richard L. Anglin, Jr.

RLA:cms  
Enclosure

No. of Copies rec'd 0 + 4  
List A B C D E

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of )  
 )  
Amendment of Section 2.106 of the )  
Commission's Rules to Upgrade to )  
Primary Status the Secondary )  
Mobile-Satellite Service Allocation )  
at 19.7-20.2 GHz and 29.5-30.0 GHz )

ET Docket No. 92-191  
RM-7511

**RECEIVED**

**DEC - 2 1992**

FEDERAL COMMUNICATIONS  
COMMISSION  
OFFICE OF THE SECRETARY

**Reply Comments of Endgate Technology Corporation**

Endgate Technology Corporation ("Endgate"), by its attorneys, hereby replies to the comments filed on the Commission's Notice of Proposed Rule Making in the above-captioned docket, 7 FCC Rcd 5626 (1992) ("Notice"). Endgate is developing technologies to be used to deliver a variety of telecommunications services in the above-referenced bands. Endgate has a vested interest in the rules the Commission adopts for these bands because the value of Endgate's investment in these new technologies will undoubtedly be affected if some of the proposals currently before the Commission are adopted.

Endgate agrees with the Commission and TRW, Inc. that "technology, rather than restrictive service definitions, should dictate access to the 20/30 GHz bands to encourage the development of this unused spectrum." Notice, 7 FCC Rcd at 5628;

Comments of TRW, Inc. ("TRW Comments") at 5. Endgate's technologies have broad commercial application in the provision of enhanced telecommunications services which today would be classified as fixed-satellite service ("FSS"), mobile-satellite service ("MSS"), or broadcast-satellite services ("BSS"). The Commission's proposed reallocation allows implementation of these new technologies to proceed apace, and for that reason, Endgate supports the Commission's proposal.

Furthermore, Endgate agrees with Norris Satellite Communications, Inc. ("Norris") that flexibility in allocations is required to allow commercial telecommunications service providers to respond to the demands of the market.<sup>1</sup> Comments of Norris Satellite Communications, Inc. ("Norris Comments") at 4.

Endgate likewise agrees with Norris that it is inappropriate and premature for the Commission to consider either a partition of the band or the adoption of technical standards as proposed by the National Aeronautical and Space Administration ("NASA"). Norris Comments at 6-7. Endgate's technologies could significantly impact spectrum efficiency, economies of scale and the delivery of enhanced services. However, the acceptance of Endgate's new technologies into the marketplace will depend upon demonstration of successful performance in a variety of applications. The Commission's existing rules are more than adequate to allow multiple service providers and multiple technologies to use these bands. Endgate therefore urges the Commission to maintain the maximum flexibility in the use of the above-referenced

---

<sup>1</sup> As a matter of general policy, Endgate believes the Commission should adopt flexible allocations and allow technologies proven in the marketplace to shape the use of spectrum.

bands. The Commission should neither partition the band nor adopt technical standards at this time.

### Conclusion

Endgate has invested in developing advanced technologies to enable the most economic and efficient utilization of the above-referenced bands. Endgate believes it is in the public's interest that the Commission adopt only those rules necessary to protect and enhance early and continued use of the band. The Commission's proposal enhances early implementation of these technologies, and for that reason Endgate supports it.

Respectfully submitted,

ENDGATE TECHNOLOGY  
CORPORATION

By:   
Richard L. Anglin, Jr., Esq.

ANGLIN & GIACCHERINI  
8601 Falmouth Avenue, Suite 309  
Playa del Rey, California 90293  
(310) 306-5986  
(310) 306-7959 Fax

Dated: December 1, 1992

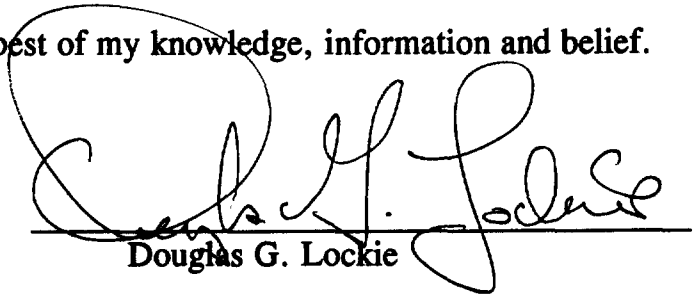
Its Attorneys.

## AFFIDAVIT

I, Douglas G. Lockie, do hereby state:

I am the Vice President, Endgate Technology Corporation ("Endgate"). I have read and am familiar with the statements made in Endgate's Reply Comments. Those statements are true and correct to the best of my knowledge, information and belief.

Dated: November 30, 1992

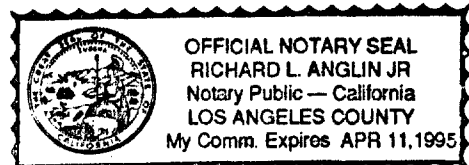
  
Douglas G. Lockie

STATE OF CALIFORNIA       )  
  ) ss.  
COUNTY OF LOS ANGELES   )

On November 30, 1992 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Douglas G. Lockie, known to me to be the person who executed the within instrument, and acknowledged to me that he executed the same.

Signature: \_\_\_\_\_

Richard L. Anglin, Jr.



## **CERTIFICATE OF SERVICE**

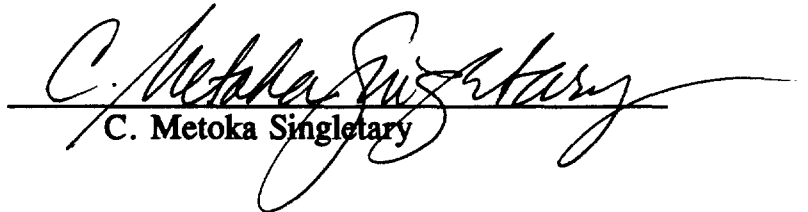
I, C. Metoka Singletary, do hereby certify that a true and correct copy of the foregoing "Reply Comments of Endgate Technology Corporation" was sent, via first class mail, postage paid, on December 1, 1992, to the following:

Mr. Norman P. Leventhal, Esq.  
LEVENTHAL, SENTER & LERMAN  
2000 K Street, N.W.  
Suite 600  
Washington, D.C. 20006

Attorneys for TRW, Inc.

Mr. Leslie A. Taylor, Esq.  
LESLIE TAYLOR ASSOCIATES  
6800 Carlynn Court  
Bethesda, Maryland 20817-4302

Counsel for Norris Satellite Communications, Inc.

  
C. Metoka Singletary